

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re:) Case No.: 16-47428-659
DIRECTORY DISTRIBUTING) Honorable Kathy A. Surratt-States
ASSOCIATES, INC.,) Chapter 11 Proceeding
Debtor.)
) Hearing Date: December 12, 2016
) Hearing Time: 11:00 a.m.
) Hearing Location: 7 North
) St. Louis, Missouri
)
) Robert E. Eggmann, Esq.
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**DECLARATION OF KRISTY RUNK BRYAN IN SUPPORT OF MOTION FOR
CONFIRMATION THAT THE
AUTOMATIC STAY PURSUANT TO 11 U.S.C. § 362 INCLUDES
INDEMNIFIED NON-DEBTOR CO-DEFENDANTS, OR, IN THE
ALTERNATIVE, FOR STAY OF PROCEEDINGS PURSUANT TO 11 U.S.C. §
105(a)**

I, Kristy Runk Bryan, declare that I am competent, over the age of 18, and have personal knowledge to state as follows:

1. I was the General Counsel and Secretary for Directory Distributing Associates, Inc. (“DDA”) from January 2005 through December 31, 2015. Since January 1, 2016, I have been employed by DDA as an independent attorney. I make this declaration in support of DDA’s Motion for Confirmation That the Automatic Stay Pursuant to 11 U.S.C. § 362 Includes Indemnified Non-Debtor Co-Defendants, or, in the Alternative, for Stay of Proceedings Pursuant to 11 U.S.C. § 105(a) and Memorandum in Support thereof.

2. As a result of my role as the General Counsel for DDA, I am familiar with DDA’s corporate structure and business operations. Before it ceased operating, DDA, a Missouri

corporation, delivered print materials, including telephone directories on behalf of various telecommunications and telephone book directory publishers, to homes and businesses across the United States. To perform the deliveries, DDA retained independent contractors who were paid according to the delivery routes that were chosen by mutual agreement.

3. In the regular course of my job duties, I have also managed outside counsel handling litigation matters for DDA, including the outside counsel handling *Walker, et al. v. Directory Distributing Associates, Inc., et al.*, Cause No. 2011-50578, a conditionally certified Fair Labor Standards Act (“FLSA”) collective action pending in the District Court of Harris County, Texas, 269th Judicial District (the “*Walker case*”) and *Krawczyk et al. v. Directory Distributing Associates, Inc., et al.*, Case No. 3:16-cv-02531-VC, a purported FLSA collective action currently pending in the United States District Court for the Northern District of California (the “*Krawczyk case*”). Though my role in managing this litigation, I am familiar with the pleadings, filings, and discovery proceedings in the *Walker* and *Krawczyk* cases.

4. I have personal knowledge of the facts set forth in DDA’s Motion for Confirmation That the Automatic Stay Pursuant to 11 U.S.C. § 362 Includes Indemnified Non-Debtor Co-Defendants, or, in the Alternative, for Stay of Proceedings Pursuant to 11 U.S.C. §105(a) and Memorandum in Support thereof, except where such facts are stated upon information and belief, and those facts I believe to be true. If called as a witness, I could and would testify competently to the facts set forth therein.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on December 1, 2016, at St. Louis, Missouri.



KRISTY RUNK BRYAN